

Rebecca L. Hill, USB # 06246  
CHRISTENSEN & JENSEN, P.C.  
257 East 200 South, Suite 1100  
Salt Lake City, Utah 84111  
Telephone: (801) 323-5000  
[Rebecca.Hill@chrisjen.com](mailto:Rebecca.Hill@chrisjen.com)

*Attorneys For Defendant Fanuc  
America Corporation*

Jeremy M. Seeley, USB #12653  
PLANT CHRISTENSEN & KANELL  
136 East South Temple, Suite 1700  
Salt Lake City, Utah 84111  
Telephone: (801) 363-7311  
[Jseeley@pckutah.com](mailto:Jseeley@pckutah.com)

*Attorneys for Defendant Sani-Matic, Inc.*

---

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

---

COREY GRITTON, an individual

Plaintiff,

vs.

FANUC AMERICA CORPORATION, a  
Corporation, SANI-MATIC, INC., a  
Corporation, and JOHN/JANE DOES 1-10

Defendants.

**JOINT NOTICE OF REMOVAL  
FILED BY DEFENDANT FANUC  
AMERICA CORPORATION AND  
DEFENDANT SANI-MATIC, INC.**

Case No. 2:22-cv-00162-DBP

Magistrate Judge: Dustin B. Pead

---

Pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, Defendant, Fanuc America Corporation (“FANUC”) and Defendant Sani-Matic, Inc. (“SANI-MATIC”), by and through their respective counsel, file this Joint Notice of Removal to the United States District Court for the District of Utah, Central Division, on the basis of diversity of citizenship and amount in controversy and respectfully show:

**I.  
FACTUAL AND PROCEDURAL BACKGROUND**

1. On October 29, 2021, Plaintiff Corey Gritton filed his complaint in the matter styled *Corey Gritton v. Fanuc America Corporation, Sani-Matic, Inc. and John/Jane Does 1-10*; Case No. 210905875, in the Third Judicial District Court of Salt Lake County, Utah. *See* Complaint (Jury Demand) (Tier III), appended hereto as Exhibit “A.” Plaintiff’s Complaint concerns an accident which occurred on October 30, 2017, at the facilities of Plaintiff’s employer TOSCA SERVICES, LLC at 5950 W. Amelia Earhart Dr., Salt Lake City, Utah, in which Plaintiff alleges he suffered serious injuries resulting from the accident to his back/spine, left leg, left knee, left ankle, and left heel/foot, which has disabled him and resulted in multiple surgeries. *See* Exhibit “A” at ¶¶ 11 – 34.

2. Plaintiff served FANUC with a summons and the Complaint on February 7, 2022. *See* Affidavit of Service of FANUC, appended hereto as Exhibit “B”.

3. Plaintiff served SANI-MATIC with a summons and the Complaint on February 15, 2022. *See* Affidavit of Service of Summons and Complaint, appended hereto as Exhibit “C”.

4. FANUC and SANI-MATIC file this Joint Notice of Removal within 30 days of receiving Plaintiff’s pleading. *See* 28 U.S.C. §1446(b). In addition, this Notice of Removal is being filed within one year of the commencement of this action.

5. As required by 28 U.S.C. § 1446(a) and Rule 81-2 of the local rules of the United States District Court for the District of Utah, Central Division, and simultaneously with the filing of this Joint Notice of Removal, FANUC and SANI-MATIC attach all of the documents required,

including a completed Civil Cover Sheet. *See* Civil Cover Sheet, Exhibit “D”. A copy of this Notice is also concurrently being filed with the state court and served upon plaintiff.

## **II. VENUE**

6. FANUC and SANI-MATIC assert that venue is in this District is proper under 28 U.S.C. §1441(a) as it is the division where the accident happened and where Plaintiff filed his Complaint.

## **III. BASIS FOR REMOVAL**

7. Removal is proper based on diversity of citizenship under 28 U.S.C. §§1332(a), 1441(a) and 1446.

### **A. THE PARTIES ARE OF DIVERSE CITIZENSHIP**

8. Plaintiff is a resident of Tooele County, State of Utah Therefore Plaintiff is a citizen of Utah for diversity purposes. *See* Exhibit “A” at ¶ 1.

9. FANUC is incorporated in Delaware, and maintains its principal place of business and the “nerve center of its operations” in Michigan. Therefore, FANUC is a citizen of Delaware and/or Michigan for diversity purposes. *See id.* at ¶ 2.

10. SANI-MATIC is incorporated in Wisconsin and maintains its principal place of business and “nerve center of its operations” in Wisconsin. Therefore, SANI-MATIC is a citizen of Wisconsin for diversity purposes. *See id.* at ¶ 4.

11. Because Plaintiff is a citizen of Utah and Defendants FANUC and SANI-MATIC are not citizens of Utah, complete diversity of citizenship exists among the parties and removal is

proper.

**B. THE AMOUNT IN CONTROVERSY EXCEEDS \$75,000**

12. Based on the allegations made by the Plaintiff in his Complaint concerning the injuries he sustained, medical treatment and multiple surgeries he received and underwent, disability he incurred and other claimed damages, the amount in controversy in this action exceeds the sum of seventy-five thousand dollars (\$75,000.00), exclusive of interest and costs. *See id.* at ¶¶ 33, 57-58.

**IV.  
CONCLUSION AND PRAYER**

All requirements are met for removal under 28 U.S.C. §§ 1332 and 1441. Accordingly, Defendants FANUC and SANI-MATIC hereby remove this case to this Court for trial and determination.

DATED this 9<sup>th</sup> day of March, 2022.

Respectfully submitted,

CHRISTENSEN & JENSEN, P.C.

/s/ Rebecca L. Hill

Rebecca L. Hill

*Attorneys for Defendant Fanuc America Corporation.*

PLANT CHRISTENSEN & KANELL

/s/ Jeremy M. Seeley

Jeremy M. Seeley

*Attorneys for Defendant Sani-Matic, Inc.*

**CERTIFICATE OF SERVICE**

I certify that on this 9<sup>th</sup> day of March, 2022, the foregoing **DEFENDANT FANUC AMERICA CORPORATION'S ANSWER TO COMPLAINT** was filed electronically and served by the Court's Notice of Electronic Filing to:

Ky M. Papke  
Terrell Lee  
ALTA LEGAL, LLC  
470 N. University Ave., Ste, 202  
Provo, UT 84601

*Attorneys for Plaintiff*

/s/ Rebecca L. Hill